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March 30, 2023

VIA ECF

The Honorable Lewis A. Kaplan
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Carroll v. Trump*, 22 Civ. 10016 (LAK)

Dear Judge Kaplan:

We write on behalf of Plaintiff E. Jean Carroll to respectfully request that the Court use a jury questionnaire to assist in the jury selection process in the above-referenced matter. A proposed questionnaire is attached as Exhibit A.

Last week, Your Honor ordered the use of an anonymous jury “[o]n the basis of the unprecedented circumstances in which this trial will take place, including the extensive pretrial publicity.” ECF 94 at 9. As the Second Circuit has recognized, “[d]istrict courts routinely employ questionnaires to facilitate *voir dire* in a number of circumstances,” including in particular “where an anonymous jury is to be empaneled” or “where there has been extensive pre-trial publicity.” *United States v. Quinones*, 511 F.3d 289, 299 (2d Cir. 2007) (citations omitted). The use of a jury questionnaire would therefore be appropriate in this case “to facilitate the *voir dire* process and help ensure the empanelment of a fair and qualified jury.” *United States v. Dervishaj*, No. 13 Cr. 668, 2015 WL 3794803, at *1 (E.D.N.Y. June 17, 2015).

We sent the attached proposed questionnaire to counsel for Defendant Donald J. Trump on March 9, 2023. While Defendant has expressed no objection to using a questionnaire, we understand that as of this filing, he is not yet in a position to communicate any specific disagreements with the questionnaire that Plaintiff has proposed.

Respectfully submitted,



Roberta A. Kaplan

cc: Counsel of Record